

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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OTIS MICHAEL BRIDGEFORTH,

Plaintiff,

v.

1:10-CV-0678

NATIONAL CONSUMER SERVICES,

Defendant.  
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THOMAS J. McAVOY  
United States District Judge

**DECISION and ORDER**

This matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

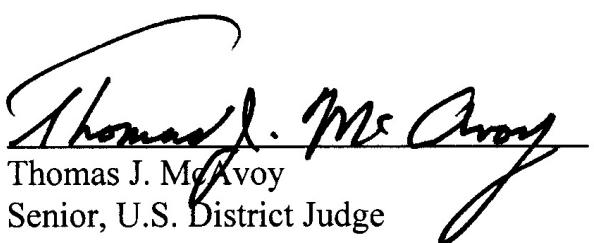
No objections to the July 15, 2010 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is, therefore, **ORDERED** that:

- (1) Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Dkt. No. 2) is **GRANTED**.
- (2) Plaintiff's Complaint (Dkt. No. 1) be **DISMISSED** for failure to state a claim under 42 U.S.C. § 1983 and for want of subject matter jurisdiction.

IT IS SO ORDERED.

Dated:August 25, 2010

  
Thomas J. McAvoy  
Senior, U.S. District Judge